

## DISTRICT OF NEVADA

Plaintiff,

DAVID ARNOLD NORTH,

Case No. 2:17-mj-411-GWF

## ORDER

The Government requests that the Court strike Defendant's Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 14) as improperly filed. The Court construes Defendant's filing as a notice of an assertion of his right to not be shackled or placed in other physical restraints during any pretrial hearing. On May 24, 2017, the Court granted the parties' stipulation to continue the preliminary hearing to June 28, 2017. ECF No. 13. If the preliminary hearing goes forward the Court will consider the issue of physical restraints at that time. The Court, therefore, denies the Government's motion to strike as premature. Accordingly,

DATED this 14th day of June, 2017.

GEORGE FOLEY, JR.  
United States Magistrate Judge